REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the above amendments and the following remarks.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-8 are currently pending in this application. Claims 1, 4, and 8 are hereby amended. Claim 2-3 and 5-7 were previously presented. No new matter has been introduced. Support for this amendment can be found throughout the Application as originally filed.

Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. OBJECTION TO DRAWINGS

Figures 1a, 1b, 2, and 3 were objected to under 37 C.F.R. §1.83(a) for allegedly failing to show details in the drawings that are described in the specification. Applicant respectfully submits that the Office Action has not identified any such details and, thus, requests that these details be brought to Applicant's attention.

III. THE REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-8 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,442,340 to Dykema ("*Dykema*"). The rejections are traversed for at least the following reasons.

Independent claim 1, as amended, recites:

> "A method of communication between a command transmitter and a bi-directional command transmitter-receiver ... wherein,
>
> the command transmitter communicates to the command transmitter-receiver and the command transmitter-receiver communicates to other elements by way of frequency-modulated RF signals; and
>
> **the command transmitter-receiver sends information to the command transmitter in a programming mode by way of amplitude-modulated RF signals, by activating and interrupting successively the transmission of signals from the command transmitter-receiver normally used for communication by frequency modulation**." (Emphasis added)

Dykema does ***not*** disclose or suggest a "command transmitter-receiver [that] sends information to the command transmitter **in a programming mode by way of amplitude-modulated RF signals, by activating and interrupting successively the transmission of signals from the command transmitter-receiver normally used for communication by frequency modulation[,]"** as recited in claim 1.

Dykema discloses a transceiver 55 that is able to receive a radio signal, memorize the received radio signal, and to retransmit it later. The transceiver 55 has an oscillator VCO 65 and an attenuator 71 respectively making it possible to stop the transmission and to regulate the amplitude of the transmitted waves. According to *col. 2, lines 58-67* of *Dykema*, transceiver 55 includes a programmable microcontroller 57 which controls a radio frequency (RF) circuit 58 to generate signal "T". Signal "T" has a frequency and code learned from signal "B" which is transmitted by a remote control transmitter 40 while the transceiver 55 is in a training mode. The transceiver 55 can then transmit the stored signal as remote control signal "T" to activate a garage door opening control mechanism 46 (FIG. 3) without further need for the remote control transmitter 40. There is **no** transmission of "information" from the transceiver 55 to the remote control 40, much less any transmission interruption and switching from an FM transmission

format to an AM form based on a programming mode. The aim of *Dykema* is merely to adjust the radio amplitudes and the frequencies available for the communication of the transceiver with the a garage door opener in order to comply with the FCC requirements over the entire frequency range of the transmitter and to effectively compensate for inherent variations in the transmitter's signal strength at different frequencies. Therefore, *Dykema* does ***not*** disclose or suggest a "command transmitter-receiver [that] sends **information** to the command transmitter in a programming mode by way of **amplitude-modulated RF signals, by activating and interrupting successively** the transmission of signals from the command transmitter-receiver normally used for communication by **frequency modulation[,]"** as recited in claim 1.

Moreover, while *Dykema* does appear to disclose a transceiver 55 that includes a VCO 65 connected to a switch 70 for generating oscillating output signals only when the switch is open, *Dykema's* transceiver 55 does ***not*** teach or suggest operating in "a programming mode" to "send information to the command transmitter," as is recited in claim 1. *Dykema's* transceiver 55 merely communicates with a garage door opening mechanism 46. Moreover, when switch 70 is open, *Dykema's* transceiver 55 does not switch transmission modes, such as, changing from an FM transmission to an AM transmission mode. Switch 70 merely enables and disables the VCO 65.

Therefore, for at least the foregoing reasons, Applicant submits that independent claim 1 is patentable over the relied upon portions of *Dykema*. Reconsideration and withdrawal of these rejections are, therefore, respectfully requested.

Independent claim 4, as amended, recites:

> "A transmitter-receiver of commands ... comprising:
>
> wherein the means for transmission is coupled to the antenna and comprises means for **activating and disabling**

> , in a programming mode, **the means for transmission so that the transmission of electric signals normally used for communication by frequency modulation is used to send information to the command transmitter from the command transceiver-receiver by way of amplitude-modulated RF signals."** (Emphasis added)

For reasons similar to those described above with regards to independent claims 1, *Dykema* does not disclose or suggest "**activating and disabling, in programming mode, the means for transmission so that the transmission of electric signals normally used for communication by frequency modulation is used to send information to the command transmitter from the command transceiver-receiver by way of amplitude-modulated RF signals**," as recited in claim 4.

For reasons similar to those described above with regards to independent claim 1, independent claim 8 is also allowable. Reconsideration and withdrawal of these rejections are, therefore, respectfully requested.

IV. DEPENDENT CLAIMS

The other claims are dependent from independent claims 1 and 4, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
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